Rejection of Executives' Immunity Also Killed Measure to Cut Waste

Continued From B-1

sues, was tabled in favor of the Peterson bill, which enjoyed the endorsement of the governor.

"We're the ones who got the bill going and we didn't even know about the [corporate director's immunity provision] until the last day of the general session when the bill passed," said Mr. Dunn. "Now we'll have to wait until next year to get those issues addressed."

The issues in the bill that would have affected the Business Regulation Department focused on the legal corporate filing dates and the amounts of filing fees. Both of those elements have conflicts in different sections in the law and need to be clarified, Mr. Dunn said.

Currently, the law mandates that domestic corporations submit their annual reports to the Division of Corporations during the month of the corporation's anniversary, Mr. Dunn said. But the law requires foreign or non-profit corporations to submit the report on the anniversary date and professional corporations to submit the report within four months.

"We just wanted to eliminate those inconsistencies and make them all the same, [during the month of the anniversary]," Mr. Dunn said. He said while the technical differences seem petty, separate computer systems must be maintained for each group of corporations, "requiring a lot of work and money."

The other major provision of the bill would have repealed sections in the law that conflict with the General Appropriations Act passed by the Legislature.

The statutes governing the Business Regulations Department set corporation filing fees by establishing a formula based on earnings. But the Appropriations Act specified the fee amounts. If one requirement was less than the other, the corporation could challenge the fee, said Mr. Dunn.

"We have already had challenges on that," he said. "The bill was just going to repeal the existing statutes so the fees in the Appropriations Act would prevail. It would just save us a lot of trouble."

Sen. Cornaby said he anticipated the special session would take longer than two days, "so we didn't even have the bill printed until Wednesday [the second day of the special session]." But Legislative leadership late in the day decided to conclude the session that night. "It took us by surprise and we didn't have enough time to get the explanation of the bill circulated," Sen. Cornaby said.

Mr. Mecham said there was not time for the task force to review the entire bill, so it just addressed the narrow issue of liability.

Utes Remain Wary of Lawmakers

Continued From B-1

lenged by non-Indian interests.

Subsequently, the case has meandered through the federal courts. Now, the State of Utah and Uintah and Duchesne counties are petitioning the U.S. Supreme Court to resolve questions on boundaries and consequent jurisdictional authorities.

Mr. Seneca, during a Monday news conference in Salt Lake City, said the entire issue comes down to civil jurisdiction over the 4.2 million acres.

Ute leaders have never had plans to invoke any taxation or prosecutorial powers over non-Indians, their properties or activities, as local non-Indians have feared, he said.

"The Tenth Circuit's decision has been interpreted by some to have further constricted [the local] tax base," according to draft testimony prepared for Uintah County Commissioner Neal H. Domgaard for Wednesday's now-cancelled Senate hearing.

"It is probably difficult for you to comprehend what a shock it was for county residents who were non-Ute Tribal members to learn that, instead of being full participating citizens of the United States and the State of Utah, we were designated by the Tenth Circuit to be second class citizens subject to the laws of the Ute Tribe," the written testimony stated.

Mixed-Bloods Don't Have Right To Sue the Tribe, Argue Utes

Attorneys for the Ute Indian Tribe and the federal Department of Interior urged a federal judge Monday to dismiss a lawsuit filed by a group representing mixed-blood Utes who claim they are being denied their rights to hunt and fish on tribal land.

Tribe attorney Martin Seneca argued before U.S. District Chief Judge Bruce S. Jenkins that the Affiliated Ute Citizens do not have standing to sue the tribe. Besides, he added, as a governmental entity the tribe enjoys sovereign immunity.

But Kathryn Collard, the attorney representing the Affiliated Ute Citizens, argued against the motion to dismiss the case, saying tribal assets that mix-bloods have a right to enjoy and manage should be identified.

Judge Jenkins delayed ruling on the motion, saying the parties could file additional memoranda. "It's the kind of case that it seems to me requires careful attention," he said.

The mixed-blood Utes filed suit in U.S. District Court for Utah last May claiming the tribe and the Interior Department have failed to recognize their right to fish and hunt on tribal land under the Act of 1954. That right was affirmed in a 1982 decision out of Utah's federal court, they argue.

The 1954 Act divided the Ute Tribe on the Uintah-Ouray Reservation in Duchesne and Grand counties into two groups, the mixed-bloods and the full-bloods.

The mixed-bloods were given a share of the tribal assets and their tribal identity was dissolved in 1961. The full-bloods, who had at least 50 percent Ute blood, maintained enrollment and the federal government continued to hold their assets in trust.

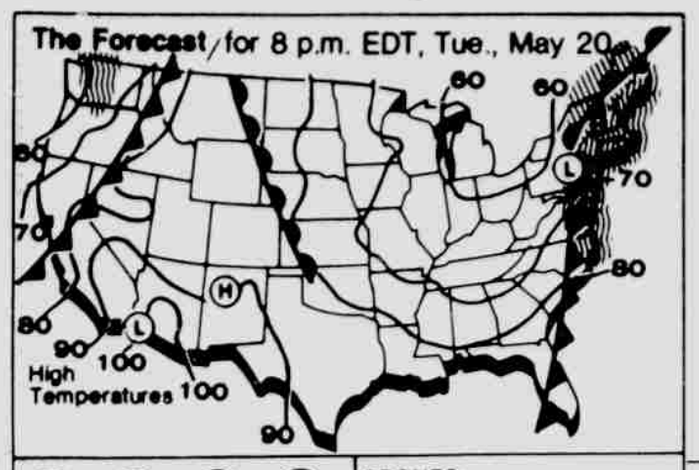
But the Affiliated Ute Citizens charge that under the 1954 Act, mixed-bloods would continue to hold assets "not susceptible to equitable and practicable distribution." Those assets include water, timber, fishing and hunting rights, as well as a voice in the management of those assets, Ms. Collard said.

Mr. Seneca argued the Affiliated Ute Citizens "want their cake and eat it too." He said the 1954 Act caused tremendous upheaval on the reservation and many full-bloods feel the mixed-bloods "cashed out of this tribe."

Assistant U.S. Attorney Joseph Anderson said the federal government, along with the tribe, enjoys immunity from the group's suit. He joined with Mr. Seneca in arguing that the Affiliated Ute Citizens do not have standing to bring the case.

Mr. Anderson and Mr. Seneca cited a U.S. Supreme Court case in which the Ute Distribution Corp. was recognized as the entity to manage assets such as hunting and fishing rights.

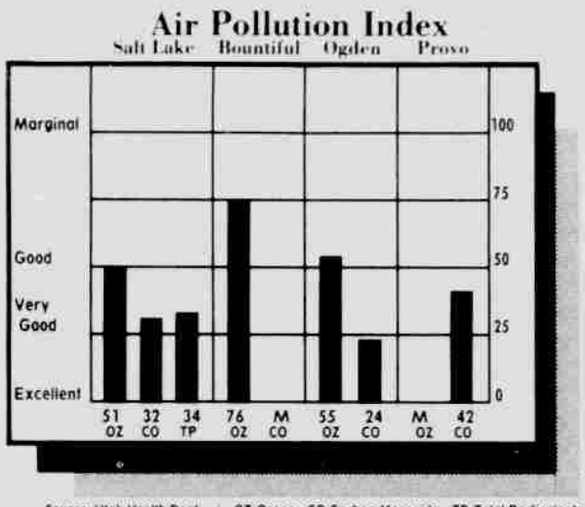
Today's Weather



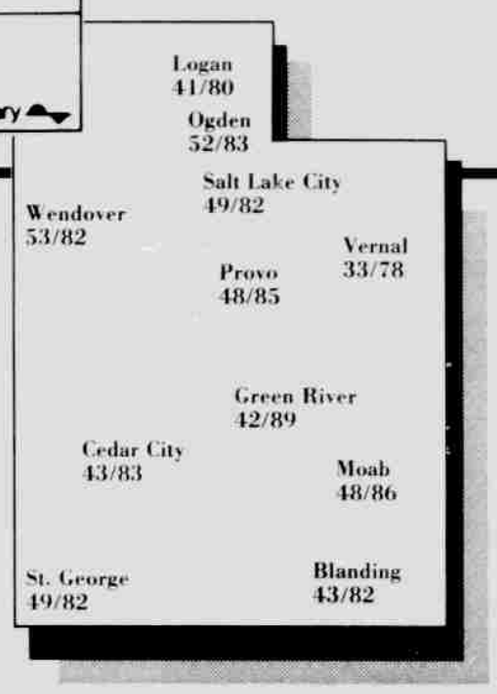
National Weather Service NOAA, U.S. Dept. of Commerce

Utah Forecast

A high pressure ridge will be shifting east of the Beehive State today, with a cold front moving through the state by Wednesday. Increasing clouds and warmer today with near 80 and lows in the upper 50s. Turning cooler Wednesday, with 60 percent chance of rain developing.



Source: Utah Health Dept. / OZ-Ozone CO-Carbon Monoxide TP-Total Particulants



Area Forecast

Tuesday and Wednesday

Salt Lake City, Ogden and Provo Forecast — A high pressure ridge will be shifting east of Utah today, with a cold front moving through the state by Wednesday. Today will be cloudy and warmer, with occasional gusty south winds. Highs today will reach the mid-80s, overnight lows will be in the mid-50s. Turning colder Wednesday with chance of occasional rain developing. Highs Wednesday will be in the low to mid-70s, with overnight lows in the 50s and 60s. Probability of measurable rain Wednesday in Salt Lake City is 60 percent.

Northern Utah Forecast — Cache Valley: Increasing clouds and warmer today, with occasional gusty south winds. Highs in Logan today in the low 80s, dropping to mid-60s by Wednesday. Overnight lows both days will be in the upper 50s to low 60s.

Wasatch Front and Western Deserts: Cloudy and warm conditions will dominate the weather picture today, with highs expected to reach mid-80s. Highs Wednesday will drop to low and mid-60s, and overnight lows both days will be in the upper 50s to low 60s.

Uinta Basin: Increasing clouds today and local gusty winds. Cloudy and mild conditions are expected Wednesday morning, but conditions will become cooler and scattered showers are likely by afternoon. Highs upper 70s, lows upper 50s and low 60s.

Southern Utah Forecast — Southeast Utah: Increasing clouds and warmer today, with highs in the upper 70s to low 80s, lows near 60. Turning colder Wednesday with scattered shower activity developing in the afternoon. Highs Wednesday mid-70s, lows in the low to mid-40s.

Southwest Valleys and Sevier Valley: Increasing clouds and warmer today, highs in the upper 70s to mid-80s. Turning colder Wednesday, with scattered showers developing late in the afternoon. Highs Wednesday in the mid- to upper 70s, lows in the 40s.

Utah's Dixie: Increasing clouds and warmer today, with highs in the upper 90s and overnight lows near 60. Wednesday will be colder, with chance of scattered afternoon showers in the afternoon. Highs Wednesday low 90s, lows near 60.

Recreational Areas — Lake Powell and Canyonlands: Increasing clouds today, with local gusty winds. Lake Powell highs today upper 80s, mid-80s Wednesday, lows both days near 60. Canyonlands highs mid-80s today, lower 80s Wednesday. Overnight lows at Canyonlands low 50s.

Northern Mountains: Increasing clouds today with highs at Snowbird and Park City between mid-60s and upper 70s. Turning colder Wednesday with occasional rain developing and turning to snow. Low in the low to mid-40s. Snow level lowering to 5,000 feet late in the day.

Southern Mountains: Increasing clouds and warmer today, with occasional gusty south winds. Highs today in the mid-70s, lows in the upper 30s. Turning colder Wednesday and chance of occasional snow showers. Snow level lowering to 6,000 feet late Wednesday.

Extended Forecast for Utah
Thursday through Saturday

Northern and Southern Utah — A cold upper level trough over the Beehive State Thursday will shift eastward later in the week as a weak high pressure moves into the Great Basin. Showers and cold mainly in the north Thursday with snow level near 5,000 feet. Partly cloudy Friday and fair Saturday with a warming trend. Highs Thursday 50s north, 60s south, becoming 70s north and 80s south by Saturday. Lows in the 30s and lower 40s, becoming mostly 40s by Saturday.

Extended Forecast for Idaho
Thursday through Saturday

Northern and Southern Idaho — The forecast calls for cool conditions Thursday, with chance of a few scattered showers. Conditions Friday and Saturday will be dry and warmer. Northern highs will be in the upper 50s to 60s Thursday, warming to 70s by Saturday. Southern highs will be in the upper 50s to mid-60s warming to 70s by Saturday. Lows statewide 30s to mid-40s.

Weather Summary

Intermountain

M — Missing T — Trace

	Yesterday's Conditions H	L	Precip
Utah			
Blanding	82	43	
Brigham City	81	43	
Bryce Canyon	74	35	
Bullfrog	92	55	
Cedar City	83	43	
Coalville	82	33	
Delta	87	39	
Fillmore	85	53	
Greenriver	89	42	
Hanksville	90	40	
Heber City	79	35	
Helper	76	45	
Kanab	M	36	
Logan	80	41	
Midway	79	34	
Milford	84	37	
Moab	86	48	
Monticello	74	34	
Ogden	82	53	
Orem	85	48	
Park City	73	39	
Price	77	43	
Provo	85	48	
Randolph	76	28	
Richfield	84	38	
Roosevelt	M	M	
Salt Lake City	82	49	
Snowbird	M	41	
Spanish Fork	88	46	
St. George	98	56	
Tooele	83	49	
Univ. of Utah	83	53	
Vernal	78	33	
Wendover	82	53	
Zion Nat. Park	95	58	
Nevada			
Elko	85	36	
Ely	81	32	
Las Vegas	100	63	
Reno	80	44	
Winnemucca	83	42	
Wyoming			
Casper	78	38	
Cheyenne	71	45	T
Rock Springs	73	42	
Evanston	72	27	
Laramie	69	36	
Idaho			
Boise	86	52	
Idaho Falls	79	43	
Pocatello	83	44	
Rexburg	83	38	
Twin Falls	86	45	
Montana			
W. Yellowstone	69	29	
Colorado			
Denver	79	46	

National

	Yesterday's Conditions H	L	Precip	Today's Forecast H	L	WS
Pacific States						
Anchorage	55	34		58	34	snny
Fairbanks	56	35	.10	58	32	ptcl
Honolulu	88	71		88	72	snny
Juneau	M	41		52	40	cldy
Los Angeles	88	62		88	62	snny
Portland	76	52		60	52	rain
San Diego	73	61		71	61	ptcl
San Francisco	61	49		60	52	cldy
Seattle	71	52		58	50	shwr
Spokane	76	48		67	50	rain
Midwest						
Bismarck	70	46		75	48	snny
Chicago	55	47	.41	58	42	ptcl
Detroit	52	46	.03	59	47	shwr
Duluth	53	31		58	37	fair
Kansas City	69	45		71	44	snny
Minneapolis	64	45		66	42	fair
Oklahoma City	74	50		78	50	snny
Omaha	68	46		70	43	fair
Rapid City	72	49		81	50	snny
St. Louis	68	50		69	48	snny
East						
Boston	90	62		74	61	shwr
Buffalo	57	52	1.02	60	52	thst
New York	86	71		75	65	ptcl
Norfolk	83	66		79	67	shwr
Richmond	85	65		77	66	shwr
Washington	86	70		76	67	shwr
South						
Atlanta	73	63	.80	74	62	cldy
Birmingham	77	64	.08	73	54	ptcl
Louisville	61	55	.05	67	51	cldy
Memphis	71	61	.15	72	52	ptcl
Miami	81	75		85	72	ptcl
New Orleans	81	66	.70	82	62	snny
Orlando	90	69		86	70	thst
Southwest						
Albuquerque	81	49		85	50	snny
Dallas	78	52		81	53	fair
El Paso	86	48		90	51	snny
Phoenix	104	73		104	72	snny
San Antonio	82	52		85	54	snny
Tucson	101	71		100	65	snny

Global Temps

	Yesterday's Conditions		
Amsterdam	75	52	fair
Barbados	78	M	fair
Berlin	72	54	fair
Buenos Aires	62	55	cldy
Cairo	81	59	fair
Dublin	63	48	fair
Geneva	81	55	fair
Hong Kong	84	77	rain
Jerusalem	69	57	cldy
London	68	50	fair
Madrid	77	52	fair
Mexico City	M	M	M
Montreal	72	59	rain
Moscow	66	45	fair
Oslo	54	47	fair
Paris	78	55	cldy
Peking	83	55	fair
Rome	86	57	fair
Singapore	88	79	cldy
Sydney	70	54	fair
Tokyo	75	64	cldy
Toronto	77	59	rain

Daily Data

Note: This information is received daily from the National Weather Service at the Salt Lake International Airport. Precipitation readings and temperatures are those recorded at the airport.

Yesterday's Weather Data

Precipitation —	0.00.
Precipitation in May —	2.96.
Accumulative excess —	1.97.
Precipitation since Oct. 1, 1985 —	17.63.
Accumulative excess —	6.30.
Utah high —	98 at St. George.
Utah low —	28 at Randolph.
S.L.C. high —	82 degrees.
S.L.C. low —	49 degrees.
Normal high for this date —	74 degrees.
Normal low for this date —	46 degrees.
Record high for this date —	93 degrees.
Record low for this date —	31 degrees.
Sunrise Today —	6:06 MDT.
Sunset Today —	8:43 MDT.

Utah Agriculture Forecast: Conditions will be cloudy and warm today. Turning colder Wednesday with chance of scattered afternoon showers.

Chevron Refinery Keeps Eye on Lake

Continued From B-1

day in a week of almost continuous rain — when the water level around the plant increased by 1½ feet because of heavy runoff.

Developments those few days reflect the way the Great Salt Lake is approaching northwest Salt Lake.

Storm runoff from Capitol Hill and Rose Park — as well as treated wastewater from the Salt Lake City sewage treatment plant — formerly was funneled to the lake through a canal known as the "oil drain." The drain was higher than the lake so the runoff and treated sewage naturally flowed downhill to the lake.

Now that the lake is so much higher, the force of gravity doesn't pull the water down the drain as easily as before. When storms or snowmelt add large volumes, and the water has nowhere downhill to go, the water breaches the drain's banks and fills low-lying fields.

The oil drain's bank had given way at two or three locations in the past, flooding hundreds of acres northwest of the Chevron refinery. Then, when the prolonged storm hit, the water level in the oil drain jumped and the bank was breached once again, this time south of the plant.

That water is a mixture of treated effluent from Chevron's wastewater treatment ponds, discharge from the sewage treatment plant, briny lake water and storm runoff.

The state Department of Health confirmed that both the refinery and the sewage treatment plant have complied consistently with state and federal discharge standards. As one official said, that means "you could walk in [the water in the fields] and it wouldn't harm you, but if you drank it, you'd get sick."

The flooded fields around Chevron's plant also have become fertile breeding grounds for insects.

Bugs are everywhere. Hundreds of gnats whirl around in small transparent "clouds," just yards away from another circling band. When Mr. Moffitt parked his car in a tour of the company's dikes, brine flies and mosquitoes swarmed on its sun-warmed exterior, landing every few inches.

"Mosquitoes are growing like gangbusters out there," Mr. Moffitt said. "I know health questions will come along about mosquitoes breeding in treated sewage. I don't know who to address on that, but in the next few weeks, we'll figure out who to contact."

Tax, Fee Issues Face Public At S.L. Hearing

Salt Lake City residents get a chance Tuesday to say how willing they are to accept a property tax increase, a new garbage collection fee and taxes on top of water and sewer utility bills.

The opportunity comes during public hearings scheduled for the City Council meeting at 301 City-County Building. The meeting begins at 6 p.m., and the first of five public hearings on revenue-raising measures for the city's next budget begins at 7 p.m.

The initial hearing asks citizens for comments about the overall budget, available for inspection at the City Recorder's Office. The proposed budget includes a .685 mill increase, which would cost the owner of a $70,000 home about $5.75.

A 7:15 hearing, dealing with the compensation plan for employees, excludes a pay increase but does recommend merit raises.

At 7:30 residents will be asked about a plan to charge residents for garbage collection. The service has been included in the city's general fund but is now proposed to cost $5 a month for each residence.

The next hearing concerns water and sewer franchise fees. Mayor Palmer DePaulis has proposed assessing a 6 percent fee on the utilities to raise revenues. Once collected, the money could supplement the city's general fund and compensate for reduced income from other franchises. The average homeowner would pay an extra $14 a year if the change is approved.

At 8 p.m. a hearing will be held for decriminalizing parking tickets. The mayor has recommended making the tickets a civil instead of a criminal offense. That would let the city collect more money through higher fines and through eliminating costs now lost to the state court system.

The final hearing, scheduled for 8:15 will be for building permits. Mayor DePaulis has asked that fees there be increased.

Hatch Claims Today Is Real Tax Freedom Day

Tuesday is a big day for the American taxpayer, says Sen. Orrin Hatch, R-Utah. It is the day everybody can start making money for themselves instead of for the government.

Sen. Hatch said in a press release Monday that the tax burden in this country eats up the first 140 days worth of earnings for the average taxpayer, so the equivalent of the wages earned thus far this year has gone to the government.

"Thus, we celebrate May 20 as Tax Independence Day," Sen. Hatch said. "From now on in 1986, wages earned belong to the taxpayer instead of the government."

Sen. Hatch's Tax Independence Day assessment of May 20 is actually an adjustment of an earlier analysis by the Tax Foundation, which delcared May 1 as the magic day.

But the Foundation excluded an important factor in its analysis, the senator said.

"The Foundation uses total tax receipts in its calculation, but excludes borrowing by the government," Sen. Hatch said. "This government borrowing is not an insignificant amount, particularly when one considers that the taxpayer will have to work an extra 19 days to pay for government spending financed by borrowed money."

Sen. Hatch said the net interest payment on the national debt is currently estimated at $148 billion. While that interest payment is staggering, the national debt of nearly $2 trillion "is without question a debt which will not be paid back in our lifetime, nor our children's or grandchildren's lifetime.

"Spending will be the demise of this great democracy if we in Congress fail to stem the heavy flow of the spending spigot," Sen. Hatch said.

S.L. County Reshuffles Staff Of Administrative Services

Salt Lake County streamlined its Administrative Services Department Monday, a move expected to save $75,000.

The changes were recommended by John W. Rosenthal, who became director of the department March 26. He said he has spent more than a month and a half learning about the system and trying make it more efficient.

His revisions call for relocating 15 employees, cutting seven, adding three others and one retirement.

The reorganization was approved unanimously by the County Commission.

"We're faced with a severe financial crisis, and we have a departmental director who is responding to it creatively," Commissioner Barker said.

Mountain Bell Gets Tough on Smokers

Mountain Bell has announced that beginning June 1 it will not permit smoking in private offices, conference rooms, work areas or public areas of its buildings.

The policy was adopted by company officers because of concern for the health of employees and an increasing number of local ordinances restricting smoking, Mountain Bell Vice President W. Mack Lawrence said.

Smoking areas will be designated, generally in break rooms and cafeterias, he said.

$11.00 LAS VEGAS CASINO TOUR
3 DAYS
TUESDAY May 27-29
SATURDAY May 31—June 2
$21.00
Includes: Round trip bus, hotel (2 nites), meals, casino stops, fun books, lots of fun and more!
Must Be 21 Years Old
RESERVATIONS A MUST
328-1057 | (800) 332-1188
(Call 7 days a week 8 a.m. - 10 p.m.)
FIESTA MOTORCOACH TOURS

One line fits all... the John Deere mower selection
$100.00—$500.00 OFF
ALL MOWERS
Diamond Rental & Sales
JOHN DEERE
1875 Ea. 4800 So. 278-2657
8600 So. 700 Ea. 566-7714